

REMARKS/ARGUMENTS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-13 are presently pending in this case. Claims 1 and 5-7 are amended by the present amendment. As amended Claims 1 and 5-7 are supported by the original disclosure,¹ no new matter is added.

In the outstanding Official Action, Claims 1-3, 5-9, 11, and 12 were rejected under 35 U.S.C. §103(a) as unpatentable over Myojo (U.S. Patent Application Publication No. 20030122940) in view of Hisatomi et al. (U.S. Patent Application Publication No. 20020154898, hereinafter “Hisatomi”) and Hyodo et al. (U.S. Patent Application Publication No. 20030098915, hereinafter “Hyodo”); Claims 4 and 10 were rejected under 35 U.S.C. §103(a) as unpatentable over Myojo in view of Hisatomi and further in view of Tamura et al. (U.S. Patent Application Publication No. 20020048455, hereinafter “Tamura”); and Claim 13 was rejected under 35 U.S.C. §103(a) as unpatentable over Myojo in view of Hisatomi and Hyodo and further in view of Cohen et al. (U.S. Patent Application Publication No. 20050240627, hereinafter “Cohen”).

With regard to the rejection of Claims 1 and 5-7 as unpatentable over Myojo in view of Hisatomi and Hyodo, that rejection is respectfully traversed.

Amended Claim 1 recites in part:

a creation means for creating one composite image from an arrangement of a plurality of associated captured small images, ***the associated captured small images being sequentially stored in the composite image such that the associated captured small images are directly adjacent;***
image file creation means for creating an image file including data describing a vertical size and a horizontal size of each of the plurality of associated captured small images in the composite image and manufacturer specific information;

¹See, e.g., the specification at page 18, lines 1-8 and Figure 6.

a display control means for controlling display of the composite image; and
an extraction means for extracting a specified small image from the composite image whose display is controlled by the display control means ***based on the vertical size and the horizontal size of the associated captured small images.***

Myojo describes an index image creating device that creates an index image data file 502. The index image data file 502 includes a number of image files.² The outstanding Office Action asserted that the creation of index image data file 502 of Myojo as modified by the creation of the user menu file format shown in Figures 21 and 22 of Hisatomi describes “image file creation means” as recited in Claim 1.³ However, it is respectfully submitted that Myojo does not teach or suggest that index image data file 502 ***sequentially stores*** the images in the index image data file 502 such that the associated images are ***directly adjacent***. In fact, Figure 5C of Myojo shows that the images are displayed such that they are ***not*** directly adjacent. Further, it is respectfully submitted that Figure 20 of Hisatomi explicitly shows the images C, G, and E are ***not*** stored sequentially, as they have dummy data areas located in-between the images. It is respectfully submitted that Hyodo does not teach or suggest this feature either. Thus, it is respectfully submitted that the proposed combination does not teach or suggest “image file creation means” as defined in amended Claim 1.

Moreover, the outstanding Office Action asserted that circuit 105 of Myojo is “extraction means” as recited in Claim 1.⁴ However, it is respectfully submitted that Myojo does not teach or suggest that circuit 105 extracts images based on the vertical size and the horizontal size of the associated captured small images, as Myojo does not describe saving the vertical and horizontal size. Further, it is respectfully submitted that Hisatomi does not teach or suggest this feature either. Paragraph 209 of Hisatomi describes that the head address of a VOB (and presumably the number of sectors used) is accessed to display an

²See Myojo, paragraphs 64 and 65.

³See the outstanding Office Action at page 3, lines 16-22.

⁴See the outstanding Office Action at page 3, lines 9-13.

image, but does **not** describe that a vertical and horizontal size of an image are used to display the image. It is respectfully submitted that Hyodo does not teach or suggest this feature either. Thus, it is respectfully submitted that the proposed combination does not teach or suggest “extraction means” as defined in amended Claim 1.

Consequently, Claim 1 (and Claims 2-4 dependent therefrom) is patentable over Myojo in view of Hisatomi and Hyodo.

Claims 5 and 6 recite in part:

creating one composite image from an arrangement of a plurality of associated captured small images, ***the associated captured small images being sequentially stored in the composite image such that the associated captured small images are directly adjacent***;

creating an image file including data describing a vertical size and a horizontal size of each of the plurality of associated captured small images in the composite image and manufacturer specific information;

controlling display of the composite image; and

extracting a specified small image from the composite image whose display is controlled by the controlling ***based on the vertical size and the horizontal size of the associated captured small images***.

As noted above, the proposed combination does not teach or suggest creating an image file such that small images are ***sequentially stored*** in the composite image and that the small images are ***directly adjacent***. Further, the proposed combination does not teach or suggest extracting an image ***based on the vertical size and the horizontal size of the small images***. Thus, it is respectfully submitted that the proposed combination cannot teach or suggest “creating one composite image” and “extracting a specified small image” as defined in amended Claims 5 and 6. Consequently, Claims 5 and 6 are also patentable over Myojo in view of Hisatomi and Hyodo.

Amended Claim 7 recites in part:

an image creation unit configured to create one composite image from an arrangement of a plurality of associated captured small images, ***the associated captured***

small images being sequentially stored in the composite image such that the associated captured small images are directly adjacent;

an image file creation unit configured to create an image file including data describing a vertical size and a horizontal size of each of the plurality of associated captured small images in the composite image and manufacturer specific information;

a display control unit configured to control display of the composite image; and

an extraction unit configured to extract a specified small image from the composite image whose display is controlled by the display control unit ***based on the vertical size and the horizontal size of the associated captured small images.***

As noted above, the proposed combination does not teach or suggest any device that creates an image file such that small images are ***sequentially stored*** in the composite image and that the small images are ***directly adjacent***. Further, the proposed combination does not teach or suggest any device that extracts an image ***based on the vertical size and the horizontal size of the small images***. Thus, it is respectfully submitted that the proposed combination cannot teach or suggest “an image file unit” and “an extraction unit” as defined in amended Claim 7. Consequently, Claim 7 (and Claims 8-13 dependent therefrom) is patentable over Myojo in view of Hisatomi and Hyodo.

With regard to the rejection of Claims 4 and 10 as unpatentable over Myojo in view of Hisatomi and further in view of Tamura, it is noted that Claims 4 and 10 are dependent from Claim 1 and 7, respectively, and thus are believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Tamura does not cure any of the above-noted deficiencies of Myojo and Hisatomi. Accordingly, it is respectfully submitted that Claims 4 and 10 are patentable over Myojo in view of Hisatomi and further in view of Tamura.

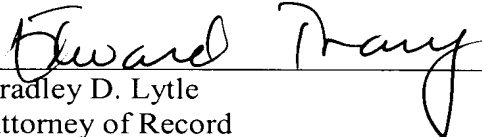
With regard to the rejection of Claim 13 as unpatentable over Myojo in view of Hisatomi and Hyodo and further in view of Cohen, it is noted that Claim 13 is dependent

from Claim 7, and thus is believed to be patentable for at least the reasons discussed above. Further, it is respectfully submitted that Cohen does not cure any of the above-noted deficiencies of Myojo, Hisatomi, and Hyodo. Accordingly, it is respectfully submitted that Claim 13 is patentable over Myojo in view of Hisatomi and Hyodo and further in view of Cohen.

Accordingly, the pending claims are believed to be in condition for formal allowance. An early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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